

**Office Action Summary**

Application No.

09/543,006

Applicant(s)

CHANG, TSANGHUI

Examiner

Negussie Worku

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2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-12 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-6, are rejected under 35 U.S.C. 102(e) as being unpatentable over Kubo et al. (USP 5,963,343).

With respect to claim 1, Kubo et al. discloses a closed circuit control device ( a circuit of fig 6, includes speed detecting element 9 of fig 6, for detecting moving speed of image sensor 1 of fig 1), for controlling the scanning speed of a plurality of carriers inside a scanner, see (col.5, lines 1-7), comprising: a plurality of optical meters (white and black strips, as shown in fig 4) attached to a transparent glass panel (platen or glass panel 10 of fig 3) an optical sensor (CIS image sensor 1 of fig 2) inside the scanner, see (fig 1) whereby the optical scanner (1 of fig 3) is capable of continuously pick up images of the optical meters (white and black strips) ~~by~~

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distinguishing pattern of fig 4, see col.4, lines 50) during a scanning session and generating corresponding sense signals for controlling speed of a plurality of carriers.

With respect to claim 2, Kubo discloses the device (as shown in fig 1) wherein each optical meter (distinguishable pattern or white and black strips of the platen 10 of fig 4) has a pattern of alternating black and white strips thereon, see (col.4, lines 50).

With respect to claim 3, Kubo discloses the device (as shown in fig 1), wherein each optical meter (black and white strips of fig 4) includes a plurality of bands with each band having a pattern of alternating black and white strips thereon, see (col.4. lines 50).

With respect to claim 4, Kubo discloses the device (as shown in fig 1), wherein between a center of white strips (white strips have center as shown in fig 8), and a center of black strips (black strips have a center as shown by the arrow in fig 8) in a black and white band lies a black strip or a white strip of another black and white band.

With respect to claim 5, Kubo discloses the device (as shown in fig 1), wherein the optical sensor (copy reading element 8 of fig 1, could be CCD) includes a charge couple device, see (col.5, lines 5-6).

With respect to claim 6, Kubo discloses the device (as shown in fig 1), wherein the optical sensor (CIS of fig 1) includes a contact image sensor, see (col.4, lines 63)

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*Allowable Subject Matter*

2. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 7-12, the prior art does not show or disclose comparing a computed speed with a preset speed; reducing speed of a driving motor if the computed carrier is greater than the preset speed; increasing speed of the driving motor if the computed carrier speed is smaller than the preset speed; and maintaining speed of the driving motor if the computed carrier speed and the preset speed are identical.

3. Any inquiry concerning this communication or earlier communication from Examiner should be directed to Negussie Worku whose telephone number is (703) 305 5441.

The Examiner can normally be reached on M-F, 9 am - 6 pm if attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, David Moore, can be reached on (703) 308-7452.

The fax phone number for the organization where this application or proceeding is assigned is (703) 306-5406, and any inquiry of general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

*Negussie Worku*  
01/22/03

JEROME G. HUNT II  
PRIMARY EXAMINER